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NDEP launches new mercury regulations

By ADELLA HARDING - Staff Writer

ELKO - Nevada Division of Environmental Protection is expecting to hold public hearings next month on proposed new mercury regulations for mines that would be a first.

"The Nevada Mercury Air Emissions Control Program is the first regulatory program of its kind to control mercury emissions from precious metals mining," said NDEP Administrator Leo Drozdoff.

The new regulations would replace the voluntary program now in effect for the four largest gold producers in the state - Barrick Goldstrike Mines Inc., Newmont Mining Corp., Placer Dome Inc. and Queenstake Resources Ltd.

First, NDEP plans the public hearings, including one in Elko, and Anderson said the dates and details will be available later. NDEP hopes to present the regulations to the Nevada Environmental Commission for approval in January.

Nevada already reduced air emissions 82 percent under the voluntary program, Anderson said, but the new program will "make it permanent, with all the controls in place. Now, they will be enforceable."

The U.S. Environmental Protection Agency's most recent report shows Nevada's mercury emissions totaled 3,755 pounds, compared with a 2001 baseline of 21,098 pounds.

"Nevada's voluntary program with the mining industry was remarkable in that it reduced emissions in advance of any formal regulatory framework," said Wayne Nastri, administrator of EPA's Pacific Southwest office.

"We believe the new program will build on these earlier successes to further reduce mercury emissions," he said in the announcement on the new program.

"We're pleased with it. It's the right thing to do," said John Mudge, director of environmental affairs for Newmont.

He said the program will be stronger than the voluntary effort and require mines to acquire permits covering mercury emissions, if they emit mercury.

"Some of the mines don't have any thermal processing units," Mudge said, referring to the mills, roasters and autoclaves the larger companies use to process gold ore.

"The changes are twofold. There will be a number of monitoring and record-keeping steps, which we

don't have to do under the voluntary program. And the state will determine whether mines are using state-of-the-art controls," he said.

Newmont already has the technology in place to keep mercury air emissions down, but with "closer scrutiny, we may get further reductions," Mudge said.

Justin Hayes of the Idaho Conservation League said Friday Nevada's program doesn't do enough to reduce mercury emission that he strongly believes are the source of mercury in fish at Idaho's Salmon Falls Reservoir.

"We are frustrated by the fact that NDEP cooked up this whole program, touting it was working with stakeholders, while they were sitting in a room, cutting deals with the industry," he said.

Anderson said NDEP worked with a number of groups, including three regional EPA offices, other states, researchers and the industry "to facilitate a very speedy development of the program."

Hayes said the big four companies are "getting off scot-free," and they won't be operating any differently a year from now. He agrees Nevada reduced emissions, but he said the mines still must do more.

"The question is do they want to spend money to protect people's health," he said.

The mining operation that reduced mercury emissions the most under the voluntary program - Queenstake's Jerritt Canyon Mine north of Elko - also backs the new program. The mine reduced emissions 90 percent.

"Queenstake supports continuing efforts to decrease air emissions from our facility, and we will continue to work with the Division of Environmental Protection to that end," said Teresa Conner, manager of the environmental resources department.

"We think it's the right way to go. We think it will be a good program," she said.

Nevada's new mercury program would require monitoring, record keeping and compliance with regulations, but the program doesn't address the question of whether mercury from Nevada mines is getting into fish in Idaho and Utah.

"We know the mines emit mercury. We're focusing on controlling emissions," Anderson said, adding that researchers will look at mercury sources but research "will take so long. We felt we need to do something now."

Mercury can be absorbed by living tissue and move from fish to humans, affecting the central nervous system.

"The Nevada Mercury Air Emissions Control Program addresses an area that we at NDEP can control - regulation of mercury air emissions from the thermal units at precious metal mining operations," NDEP Deputy Administrator Colleen Cripps said.

Anderson said the new regulations allow the mines that adopt the program early to lock in the technology they have in place, and NDEP will work with all precious metals mines on whether they need mercury permits and their timetables for new technology.

NDEP has a new Web site that covers the mercury-control program, at <http://ndep.nv.gov/mercury.htm>.

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